

REMARKS

Applicant has carefully reviewed and considered the Office Action mailed on August 25, 2006, and the references cited therewith. Applicant expresses appreciation for the telephonic interview conducted October 25, 2006.

Claims 1 and 28 are amended, claims 2-23 and 26 are canceled, claims 24 and 27 were previously presented, claim 25 is withdrawn, and claims 29 and 30 are added; as a result, claims 1, 24, and 26-30 are now pending in this application.

Applicant affirmed election of claims in response to a restriction requirement in a previous office action response and reserves the right to later file continuations or divisionals having claims directed to the non-elected inventions.

Drawings

As discussed with the Examiner in the telephonic interview, Applicant asserts that it has complied with 37 CFR 1.83(a). The gas generating cell claimed in Applicants' new claim 30 is discussed in connection with Figure 14 that represents the elected species. One of skill in the art would be able to practice the invention claims in Claim 30 by reference to the specification and the materials incorporated into the specification by reference. A detailed illustration is not essential for understanding the invention. Accordingly, 37 CFR 1.83(a) allows for a graphical representation. Figures 8 and 13 illustrate the gas generating cell and Figure 14 specifically notes that the same gas generating cell may be used in the embodiment illustrated in Figure 14. Applicant respectfully request that Examiner's rejection pertaining to the drawings be withdrawn.

Section 103 Rejection of the Claims

Claims 1, 24 and 28 were rejected under 35 USC Section 103(a) as being unpatentable over Ohayon (U.S.5,810,253) in view of Muramoto et al. (U.S. 4,477,414). Claim 27 was rejected under 35 USC Section 103(a) as being unpatentable over Ohayon (U.S.5,810,253) in view of Muramoto et al. (U.S. 4,477,414) and further in view of DeLuca (U.S. 4,294,778).

For prior art references to render an invention obvious under 35 U.S.C. §103(a) the combination must teach each and every element of the claims. Applicant's claims, as amended, contain the limitation that the emanator material is physically separate from the housing.

Ohayon, Muramoto, and DeLuca fail to teach or suggest such a limitation. Accordingly, Applicant's claims as amended are not rendered obvious in view of these references and Applicant respectfully requests that Examiner's Section 103 rejection be withdrawn.

New Claims

New independent claims 29 and 30 have been added. Both of these claims include the limitation that the emanator material be physically separate from the housing and thus are allowable over the cited prior art. Support for the new claims and the amendments is found in the specification on page 18, lines 18-22 in connection with the description of Figure 14.

Conclusion

Applicant respectfully submits that the claims are now in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (801-978-2186) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-3586

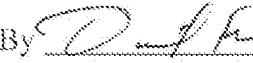
Respectfully submitted,

ASHOK V. JOSHI ET AL.

By their Representatives,

801-978-2186

Date 10/25/2000

By 

David Fonda
Reg. No. 38,672